



Congress of the United States House of Representatives

MARKWAYNE MULLIN
2ND DISTRICT, OKLAHOMA

May 26, 2022

Joseph R. Biden
President of the United States
1600 Pennsylvania Ave. N.E.
Washington, D.C. 20500

Dear President Biden,

In a letter sent over one month ago, myself and four other Members of Congress requested answers to five questions regarding your administration's plans to handle the extreme influx of migrants at our southern border in light of your repeal of Title 42. We requested those answers by April 22, a deadline you failed to meet. Thankfully, a Federal Court has seen reason and decided to issue an injunction preventing the repeal from taking effect. Now, it appears you are deliberately ignoring direct Congressional inquiry and are attempting to use the court's decision as an excuse to remain silent on this issue.

The initial announcement on April 1 of your intent to repeal Title 42 has already shown troubling consequences. According to Customs and Border Protection (CBP) data, drug seizures were up 37% by weight from March to April of this year. April was also a record-breaking month for migrant encounters, with CBP showing almost 250,000 in just that month. After the announcement, the Department of Homeland Security estimated there were over 170,000 migrants waiting on the Mexican border to cross when the measure expired. At this point in the fiscal year, the U.S. has seen almost as many encounters as were seen in the entirety of Fiscal Year 2021, and we have not yet hit the summer surge.

I am grateful for a system of checks and balances provided by our judicial system that has halted the impending consequences of your reckless actions. You claim to have a plan to deal with the expected increase in crossings and now is certainly the time to share it. I continue to request answers to the below questions and expect to hear from you by June 10, 2022.

1. If your administration is anticipating over one million crossings in just two months once Title 42 is rescinded, do you have the resources to attain the level of enforcement and screening necessary to protect Americans?
2. Are you prepared for a similar surge of crossings should you follow through with your intention to remove the Migrant Protection Protocols as well?
3. What measures are you taking to ensure the swift recruitment and onboarding of badly needed new CBP agents?
4. How do you intend to track down people who have failed to report, which we know will soon increase, with fewer resources for the agency responsible for bringing them in?
5. Where do you intend to house detainees while continuing to close facilities?

With known or suspected terrorists being allowed into the U.S. and thousands of pounds of deadly fentanyl pouring across our border, this is not just an immigration issue, but a national security one too. Title 42 is the strongest tool available to deter illegal immigration into our country, and I urge you to reconsider rescinding it.

Sincerely,

Markwayne Mullin
Member of Congress